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PLANNING COMMISSION MINUTES OF MEETING Wednesday, October 13, 2021 7:00 p.m.

A quorum being present at City Hall, 250 North Main Street, Centerville, Utah, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Kevin Daly, Chair Mason Kjar Matt Larsen Heidi Shegrud Spencer Summerhays Christina Wilcox Becki Wright

STAFF PRESENT

Cory Snyder, Community Development Director Lisa Romney, City Attorney Mackenzie Wood, Assistant Planner Kevin Campbell, City Engineer

VISITORS

Zach Swensen, CW Land Glen Girsberger, JF Capital Mitch Vance, JF Capital

PLEDGE OF ALLEGIANCE

OPENING COMMENTS/LEGISLATIVE PRAYER Commissioner Summerhays

WELCOME

Chair Daly introduced and welcomed new Planning Commissioner Matt Larsen.

PUBLIC HEARING - PRELIMINARY SUBDIVISION AND FINAL SITE PLAN - THE LANE

On July 14, 2021, the applicant received Conceptual Site Plan approval, with four directives, from the Planning Commission for a development of twelve single-family units on a parcel along Porter Lane. Assistant Planner Mackenzie Wood reported three of the four directives were completed, and staff recommended carrying the fourth directive on to future approvals.

Staff explained the applicant had recorded an access and utility easement with Truck World to connect drainage to City infrastructure through the Truck World site. City Engineer Kevin Campbell emphasized the need to ensure that drainage not detained on site would connect with public drainage infrastructure on Frontage Road. Both parties, the applicant and Truck World, would sign maintenance agreements with the City for detention.

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Zach Swensen, representing the applicant, explained the request to eliminate sidewalk on the west portion near the entrance of the private lane to allow the required 27 feet of pavement. He stated the hammer-head turnaround at the end of the private lane met Fire Code specifications. He explained the applicant was in the process of obtaining additional easement with Truck World, and said both parties were highly motivated to work out the drainage issue.

cans had not yet been addressed in the CC&Rs.

Mr. Swensen said the applicant had not believed it was necessary to obtain a permit from the County regarding the Deuel Creek stream channel because the nearest structure in the development to the stream channel would be 240 feet away. He said his understanding was that a permit would be required if the nearest structure were within 100 feet of a critical flood area.

both sides at the rear of the private lane to provide better pedestrian/ADA connectivity.

Responding to a question from Commissioner Kjar, Mr. Swensen stated placement of garbage

Commissioner Wright suggested extending the proposed sidewalk through the curve on

At 7:42 p.m., Chair Daly opened a public hearing for the Preliminary Subdivision, and closed the public hearing seeing that no one wished to comment. Responding to a question from Commissioner Shegrud, Mr. Snyder confirmed that open space was not required with single-family development. Commissioner Shegrud commented that the HOA would be able to turn the open space near the entrance into parking space in the future.

Mr. Campbell explained that a Development and Construction permit would need to be obtained from Davis County because the development was within 100 feet of the Deuel Creek stream channel, but said he believed the process would go smoothly considering the development did not have a building within 100 feet of the stream channel.

Chair Daly expressed the opinion that the final site plan application was not "watertight", but that he could be convinced to vote for approval. Mr. Snyder said he believed Truck World and the applicant had the drainage issue basically worked out. Commissioner Kjar said he was inclined to vote in favor of approval, with strict conditions related to drainage. Commissioner Wright said she agreed. The Planning Commission and staff discussed possible conditions of approval.

Commissioner Summerhays **moved** to approve the Final Site Plan for The Lane Subdivision at 644 West 400 South (Porter Lane), parcels 03-001-0178 and 03-001-0179 with the following conditions and reason for action. Commissioner Wright seconded the motion, which passed by unanimous vote (7-0).

Conditions:

- 1. The approved use shall be 12 single-family detached dwellings.
- 2. The applicant shall combine the two parcels prior to or concurrent with recording the final plat or prior to issuance of any development or building permit within the project, whichever occurs first.
- 3. The applicant shall provide drawings that show the required improvements on the ACC Auto Site (aka Truck World) needed for The Lane Subdivision drainage, with a drainage easement out to Frontage Road.
- 4. The development shall be subject to the terms and conditions of providing adequate utilities to the project, in accordance with applicable law from all related utility providers.
- 5. Sidewalks shall extend to the driveways of Lots 5 and 8.
- 6. The developer shall be required to provide a drainage plan and long-term storm water facilities maintenance agreement.

Reason for Action:

a. The Planning Commission finds that proposed Final Site Plan conforms or is conditioned to conform to the Conceptual Site Plan, as per CZC 12.21.110(f), as outlined in the related Planning Staff Report.

Commissioner Summerhays **moved** to approve the Preliminary Plat (Subdivision) for The Lane Subdivision at approximately 644 West 400 South (Porter Lane) parcels 03-001-0178 and 03-001-0179 with the following conditions and reasons for action. Commissioner Kjar seconded the motion, which passed by unanimous vote (7-0).

Conditions:

- 1. Receive approval of drainage plan from City Engineer and City Drainage Specialist.
- 2. Obtain and submit a Davis County Development and Construction permit and provide any required stream channel easements or restricted build areas.
- 3. The applicant shall combine the two parcels prior to or concurrent with recording the final plat or prior to issuance of any development or building permit within the project, whichever occurs first.
- 4. A Final Subdivision Application and Plat shall be submitted in accordance with CMC 15.04 of the Subdivision Ordinance, with Licensed Architect's signature and seal.
- 5. The Final Subdivision Submittal shall also provide the applicable subdivision infrastructure construction plans for the subdivision in accordance with CMC 15.04.104.
- 6. In accordance with the City's addressing system, the final plat shall depict the address of each dwelling and be deemed acceptable by the City's Public Works Director.
- 7. Sidewalks shall extend to the driveways of Lots 5 and 8.
- 8. A long-term detention and storm water maintenance agreement shall be put in place.
- 9. Drainage easement shall extend out to Frontage Road.

Reasons for Action:

- a. The Planning Commission finds that Preliminary Subdivision Plans are substantially consistent with the previous Conceptual Plan Acceptance.
- b. The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the Subdivision Ordinance.
- c. The Planning Commission finds that the Preliminary Subdivision Submittal, with the conditions imposed, complies with the applicable regulations of the City's Zoning Ordinance, regarding lot development within the R-M Zone.

FINAL SITE PLAN – THE COMMONS AT LEGACY CROSSING

Mr. Snyder explained the applicant was seeking a Final Site Plan approval for Lots 2 and 3 of Legacy Crossing at Parrish Lane. He stated many of the conditions of Conceptual Site Plan approval had been met, and said staff recommended approval of the Final Site Plan with conditions. Mr. Snyder answered questions regarding parking and landscaping. Commissioner Shegrud suggested that since the plan was "overparked", a few concrete islands with trees to provide shade for vehicles might be desirable. Mr. Snyder and City Attorney Lisa Romney discussed the concept of "conditional approval" with the Planning Commission.

Mitch Vance, representing the applicant, said he was comfortable with the conditions recommended by staff. Glen Girsberger, also representing the applicant, explained that proposed retail space was designed to be flexible and work with a variety of retail uses. They explained that pole lighting would be added for parking as needed, and stated the entire project would be developed at the same time. Mr. Girsberger said he liked the suggestion to add islands with trees in the parking area, and spoke of desirable sight lines for retail. He said he understood a building permit would not be possible until all conditions were met.

Commissioner Kjar **moved** to conditionally approve the Final Site Plan for Lots 2 and 3 of the Legacy Crossing Development, subject to the following conditions and with the following reasons for action. Commissioner Summerhays seconded the motion, which passed by unanimous vote (7-0).

Conditions:

- 1. The revised PDO Development Agreement, Assignment Agreement, and other governing document amendments shall be prepared and submitted by the Applicant to the City Council and shall obtain Council approval in order for this Final Site Plan Approval to become effective.
- 2. The Applicant shall prepare, submit, and record the plat linen related to the Approved Subdivision Plat Amendment in order for this Final Site Plan Approval to become effective.
- 3. The development of the property shall comply with the Final Site Plans Submittal given to the City and as reviewed by the Planning Commission, unless otherwise amended either by this approval or any subsequent amended approved in accordance with the Zoning Ordinance.
- 4. With this Final Approval, the site is approved for "retail uses." Other uses to be established in the future shall be reviewed and approved in accordance with approved PDO provisions and/or applicable City Ordinances.
- 5. Prior to receiving any development related construction permit for the site, the Applicant shall complete the following tasks:
 - i. In accordance with CZC 12.52.110(i), the applicant shall submit a lighting plan that conforms to the requirements for parking lot night illumination.
 - ii. The Final Site Plan shall verify/comply with the required four-foot (4') parking lot perimeter.
 - iii. The Final Site Plan shall verify/comply with the required 5% internal parking area landscaping requirement.
 - iv. The Final Site Plan shall depict the required design details for the dumpster locations.
 - v. The applicant shall depict or alter the Final Site Plan to accomplish these tasks and shall submit the changes to the Zoning Administrator for review and compliance with this approval or applicable regulation.
 - vi. Any disputes that arise from performing these tasks shall be remanded back to the Planning Commission for review and making the final decision.
- 6. The site shall be developed in its entirety and all related bonding, fees, etc. shall be submitted prior to commencing construction. Nonetheless if desired, the applicant may subsequently submit a "phasing plan" in accordance with CZC 12.21.110(f), which is to be reviewed and approved by the Planning Commission at a later date.

Reasons for Action:

- a. The Planning Commission finds that the submitted final site plan, with the conditions imposed, complies with the provisions and regulations of the related PDO Amendment and Conceptual Site Plan approval granted by the City.
- b. The Planning Commission finds that the submitted final site plan, with the conditions imposed, complies with the provisions and regulations of the related original PDO Amendment, as also outlined in the report to the Commission.
- c. The Planning Commission finds that the submitted final site plan, with the conditions imposed, complies with the applicable provisions and regulations of the Commercial Very-High Zone, as also outlined in the report to the Commission.

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- d. The Planning Commission finds that the submitted final site plan, with the conditions imposed, complies with the applicable provisions and regulations of the Parrish Lane Gateway Design Standards, as also outlined in the report to the Commission.
- e. Therefore, the Planning Commission finds that the Final Site Plan submittal is eligible to receive a Final Site Plan Approval.

LAND USE TRAINING - MUNICIPAL LAND USE, DEVELOPMENT, AND MANAGEMENT ACT - PART 8 - DISTRICT COURT REVIEW

Ms. Romney provided Municipal Land Use, Development, and Management Act training regarding district court review, and answered questions from the Commission.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

The Planning Commission was scheduled to meet next on October 27, 2021. The Planning Commission and staff discussed public hearings and whether or not the Commission would want to hold public hearings in situations when not required by law (e.g., upcoming Summerhill Lane Final Subdivision review). Commissioner Wright commented that the Summerhill Lane development project had caused a great deal of public concern, and suggested an additional public hearing may be appropriate. Commissioner Shegrud expressed a desire to be consistent and follow established procedure. Mr. Snyder reported on recent actions by the City Council.

MINUTES REVIEW AND ACCEPTANCE

Minutes of the September 22, 2021 meeting were reviewed. Commissioner Shegrud moved to accept the minutes. Commissioner Wilcox seconded the motion, which passed by unanimous vote (7-0).

ADJOURNMENT

At 9:23 p.m., Chair Daly moved to adjourn the meeting. Commissioner Summerhays seconded the motion, which passed by unanimous vote (7-0).

//-07-202/ Date Approved

